

SECOND REGULAR SESSION  
[P E R F E C T E D]  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 635**  
97TH GENERAL ASSEMBLY

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Reported from the Committee on Jobs, Economic Development and Local Government, February 20, 2014, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

Removed from the Consent Calendar February 25, 2014.

Re-reported from the Committee on Jobs, Economic Development and Local Government, February 25, 2014, with recommendation that the Senate Committee Substitute do pass.

Senate Committee Substitute for Senate Bill No. 635, adopted February 26, 2014.

Taken up for Perfection February 26, 2014. Bill declared Perfected and Ordered Printed, as amended.

TERRY L. SPIELER, Secretary.

4370S.04P

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**AN ACT**

To amend chapter 135, RSMo, by adding thereto one new section relating to incentives for interstate business relocation.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

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Section A. Chapter 135, RSMo, is amended by adding thereto one new  
2 section, to be known as section 135.1670, to read as follows:

**135.1670. 1. As used in this section, the following terms mean:**

2 (1) "Kansas border county", Douglas, Johnson, Miami, or  
3 Wyandotte County in Kansas;

4 (2) "Missouri border county", any county with a charter form of  
5 government and with more than six hundred thousand but fewer than  
6 seven hundred thousand inhabitants, any county of the first  
7 classification with more than eighty-three thousand but fewer than  
8 ninety-two thousand inhabitants and with a city of the fourth  
9 classification with more than four thousand five hundred but fewer  
10 than five thousand inhabitants as the county seat, any county of the  
11 first classification with more than two hundred thousand but fewer  
12 than two hundred sixty thousand inhabitants, or any county of the first  
13 classification with more than ninety-two thousand but fewer than one  
14 hundred one thousand inhabitants in Missouri.

15 2. If any job that qualifies for a tax credit under sections 100.700  
16 to 100.850 or under sections 135.100 to 135.258, for funding under

17 section 620.1023, or for a tax credit or retention of state withholding  
18 taxes under sections 620.2000 to 620.2020, relocates to a Missouri border  
19 county from a Kansas border county, no tax credits shall be issued,  
20 funding provided, or retention of withholding taxes authorized for such  
21 job under such sections.

22       3. If the director of the Missouri department of economic  
23 development determines that the state of Kansas has enacted  
24 legislation or the governor of Kansas issued an executive order or  
25 similar action which prohibits the Kansas Department of Commerce or  
26 any other Kansas executive department from providing economic  
27 incentives for jobs that are relocated from a Missouri border county to  
28 a Kansas border county, then the director shall execute and deliver to  
29 the governor, the speaker of the house of representatives, and the  
30 president pro tempore of the senate a written certification of such  
31 determination. Upon the execution and delivery of such written  
32 certification and the parties receiving such certification providing a  
33 unanimous written affirmation, the provisions of subsection 2 of this  
34 section shall be effective unless otherwise provided in this section. The  
35 provisions of subsection 2 of this section shall not apply to incentives  
36 reserved on behalf of and awarded to Missouri employers prior to the  
37 provisions of subsection 2 of this section taking effect.

38       4. If the director of the Missouri department of economic  
39 development determines that the Kansas Department of Commerce or  
40 any other Kansas executive department is providing economic  
41 incentives for jobs that relocate from a Missouri border county to a  
42 Kansas border county, then the director shall execute and deliver to  
43 the governor, the speaker of the house of representatives, and the  
44 president pro tempore of the senate a written certification of such  
45 determination. Upon the execution and delivery of such written  
46 certification and the parties receiving such certification providing a  
47 unanimous written affirmation, the provisions of subsection 2 of this  
48 section shall not be effective until such time as the director determines  
49 that the Kansas Department of Commerce, or any other Kansas  
50 executive department is not providing economic incentives for jobs that  
51 relocate from a Missouri border county to a Kansas border county, and  
52 the director has executed and delivered to the governor, the speaker  
53 of the house of representative, and the president pro tempore of the

54 senate a written certification of such determination and the parties  
55 receiving such certification provide an unanimous written affirmation.

56 5. The director of the Missouri department of economic  
57 development shall notify the revisor of statutes of all changes in  
58 whether subsection 2 of this section is effective.

59 6. The provisions of this section shall expire August 28, 2016,  
60 unless at such time the provisions of subsection 2 of this section are in  
61 effect. If the provisions of this section do not expire on August 28, 2016,  
62 the provisions of this section shall expire on August 28, 2020.

Unofficial ✓

Bill

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